

Applicant or Patentee: Dietmar KUBEIN-MEESENBURG et al.

Serial or Patent No.: PCT/EP97/06315 Attorney's Docket No.: 1920/47784

Filed or Issued: 12 November 1997

For: ARTIFICIAL JOINT, IN PARTICULAR ENDOPROSTHESIS FOR REPLACING NATURAL JOINTS.

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(b) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled ARTIFICIAL JOINT, IN PARTICULAR ENDOPROSTHESIS FOR REPLACING NATURAL JOINTS described in

- ☐ the specification filed herewith.
- ☒ Application Serial No.: PCT/EP97/06315, filed: 12 Nov. 1997.
- ☐ Patent No.: _____, issued: _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern or organization.
- ☒ persons, concerns, or organizational listed below.*

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

FULL NAME: HJS Gelenk-System GmbH

ADDRESS: Kettenhofweg 72, D-60325 Frankfurt am Main, Germany

☐ INDIVIDUAL ☒ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

DECLARATION AND POWER OF ATTORNEY

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FULL NAME: _____

ADDRESS: _____

[] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

INVENTOR: Dietmar KUBEIN-MEESBURG

Citizenship: Fed. Rep. of Germany

Postal Address/Residence: Burgweg 1a, D-37547 Kreiensen, Germany

06.18.99

Date

Dietmar Kubein-Meesburg

Signature

INVENTOR: Hans NAEGERL

Citizenship: Fed. Rep. of Germany

Postal Address/Residence: Lange Hecke 41, D-37130 Gleichen, Germany

06.20.99

Date

Hans Naegerl

Signature

Applicant or Patentee: Dietmar KUBBIN-MEISENBURG et al.

Serial or Patent No.: PCT/EP97/06315 Attorney's Docket No.: 1920/47784

Filed or Issued: 12 November 1997

For: ARTIFICIAL JOINT, IN PARTICULAR ENDOPROTHESIS FOR REPLACING NATURAL JOINTS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) AND 1.27(d)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: RYS Gelenk-System GmbH

ADDRESS OF CONCERN: Kettenhofweg 72, D-60325 Frankfurt am Main, Germany

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled: ARTIFICIAL JOINT, IN PARTICULAR ENDOPROTHESIS FOR REPLACING NATURAL JOINTS by inventor(s) Dietmar KUBBIN-MEISENBURG, Hans NABERGL described in

- ☐ the specification filed herewith.
☒ Application Serial No.: PCT/EP97/06315, filed 12 Nov. 1997
☐ Patent No.: _____, issued: _____

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below*, and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as

a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME: _____

ADDRESS: _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: P. Claus Colman - FreybergerTITLE OF PERSON OTHER THAN OWNER: Managing DirectorADDRESS OF PERSON SIGNING: 715 N. Broadway, Hastings-on-Hudson,
NY 10706, USASIGNATURE: Claus Colman - FreybergerDATE: July 8, 1999